

**COMBINED DECLARATION  
AND POWER OF ATTORNEY**

(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**INDUCIBLE COMTII PROMOTER, CHIMERA GENE CONTAINING SAME  
AND TRANSFORMED PLANTS**

This declaration is of the following type:

- Original
- Design
- national stage of PCT.
- Divisional
- Continuation
- continuation-in-part (C-I-P)

the specification of which: (complete (a), (b), or (c))

- (a)  is attached hereto.
- (b)  was filed on as Application Serial No. and was amended on (if applicable).
- (c)  was described and claimed in PCT International Application No. PCT/FR00/00714 filed on March 22, 2000 and was amended on (if applicable).

**Acknowledgement of Review of Papers and Duty of Candor**

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I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

- In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

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I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(complete (d) or (e))

- (d)  no such applications have been filed.
- (e)  such applications have been filed as follows:

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
France	99/03700	22 March 1999		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO []
France	99/07646	11 June 1999		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO []
				<input type="checkbox"/> YES <input type="checkbox"/> NO []

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

				<input type="checkbox"/> YES <input type="checkbox"/> NO []
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				<input type="checkbox"/> YES <input type="checkbox"/> NO []

**Claim for Benefit of Prior U.S. Provisional Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

**Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120**  
(complete this part only if this is a divisional, continuation or C-I-P application)

(Application Serial No.)	(Filing Date)	Status (patented, pending, abandoned)

**Power of Attorney**

As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22,075; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorell, Reg. No. 32,439; Rochelle K. Seide Reg. No. 32,300; Gary M. Butter, Reg. No. 33,841; Marta E. Delsignore, Reg. No. 32,689; Lisa B. Kole, Reg. No. 35,225; Neil P. Sirota, Reg. No. 38,306; Paul A. Ragusa, Reg. No. 38,587; and Janet M. MacLeod, Reg. No. 35,263 of the firm of BAKER BOTTS L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO: BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003	DIRECT TELEPHONE CALLS TO: BAKER BOTTS L.L.P. (212) 408-2500
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME <b>FRITIG</b>	FIRST NAME <b>Bernard</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Souffelweyersheim</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 6, Rue du Hohwald	CITY <b>Souffelweyersheim</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-67460</b>
DATE	SIGNATURE OF INVENTOR <i>B. Fritig</i>			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME <b>TOQUIN</b>	FIRST NAME <b>Valerie</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Moëlaix</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 1, Rue Henri Barbusse, Saint Martin des Champs	CITY <b>Moëlaix</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-29600</b>
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME <b>GEOFFROY</b>	FIRST NAME <b>Pierrette</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Strasbourg</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 10, rue Fischart	CITY <b>Strasbourg</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-67000</b>
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	LAST NAME <b>LEGRAND</b>	FIRST NAME <b>Michel</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Pfettisheim</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 3, rue des Roses	CITY <b>Pfettisheim</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-67370</b>
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	LAST NAME <b>KAUFFMANN</b>	FIRST NAME <b>Serge</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Strasbourg</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
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DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME <b>TOQUIN</b>	FIRST NAME <b>Valerie</b>	MIDDLE NAME	
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DATE <b>18/10/2001</b>	SIGNATURE OF INVENTOR			
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TSV

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FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME FR. TIG	FIRST NAME Bernard	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Souffelweyersheim	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 6, Rue du Hohwald	CITY Souffelweyersheim	STATE or COUNTRY France	ZIP CODE F-67460
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME TOQUIN	FIRST NAME Valerie	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Morbihan	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 1, Rue Henri Barbusse, Saint Martin des Champs	CITY Morbihan	STATE or COUNTRY France	ZIP CODE F-29600
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME GEOFFROY	FIRST NAME Pierrette	MIDDLE NAME	
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DATE	SIGNATURE OF INVENTOR 45-10-01 S. TIG			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	LAST NAME LEGRAUD	FIRST NAME Michel	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Pfettisheim	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
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FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	LAST NAME KAUFFMANN	FIRST NAME Serge	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY Strasbourg	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
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France	99/03700	22 March 1999		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
France	99/07646	11 June 1999		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
<b>ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION</b>				
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>
				<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/>

**Claim for Benefit of Prior U.S. Provisional Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Application Number	Filing Date

**Claim for Benefit of Earlier U.S./PCT Application(s) under 35 U.S.C. 120**  
(complete this part only if this is a divisional, continuation or C-I-P application)

(Application Serial No.)	(Filing Date)	Status (patented, pending, abandoned)

**Power of Attorney**

As a named inventor, I hereby appoint Dana M. Raymond, Reg. No. 18,540; Frederick C. Carver, Reg. No. 17,021; Francis J. Hone, Reg. No. 18,662; Joseph D. Garon, Reg. No. 20,420; Arthur S. Tenser, Reg. No. 18,839; Ronald B. Hildreth, Reg. No. 19,498; Thomas R. Nesbitt, Jr., Reg. No. 22,075; Robert Neuner, Reg. No. 24,316; Richard G. Berkley, Reg. No. 25,465; Richard S. Clark, Reg. No. 26,154; Bradley B. Geist, Reg. No. 27,551; James J. Maune, Reg. No. 26,946; John D. Murnane, Reg. No. 29,836; Henry Tang, Reg. No. 29,705; Robert C. Scheinfeld, Reg. No. 31,300; John A. Fogarty, Jr., Reg. No. 22,348; Louis S. Sorell, Reg. No. 32,439; Rochelle K. Seide Reg. No. 32,300; Gary M. Butter, Reg. No. 33,841; Marta E. Delsignore, Reg. No. 32,689; Lisa B. Kole, Reg. No. 35,225; Neil P. Sirota, Reg. No. 38,306; Paul A. Ragusa, Reg. No. 38,587; and Janet M. MacLeod, Reg. No. 35,263 of the firm of BAKER BOTTS L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith

SEND CORRESPONDENCE TO: BAKER BOTTS L.L.P. 30 ROCKEFELLER PLAZA, NEW YORK, N.Y. 10112 CUSTOMER NUMBER: 21003	DIRECT TELEPHONE CALLS TO: BAKER BOTTS L.L.P. (212) 408-2500	<i>TSVP</i>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME <b>FRITIG</b>	FIRST NAME Bernard	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Souffelweyersheim</b>	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 6, Rue du Hohwald	CITY Souffelweyersheim	STATE or COUNTRY France	ZIP CODE F-67460
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME <b>TOQUIN</b>	FIRST NAME Valerie	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Morlaix</b>	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 1, Rue Henri Barbusse, Saint Martin des Champs	CITY Morlaix	STATE or COUNTRY France	ZIP CODE F-29600
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME <b>GEOFFROY</b>	FIRST NAME Pierrette	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Strasbourg</b>	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 10, rue Fischart	CITY Strasbourg	STATE or COUNTRY France	ZIP CODE F-67000
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	LAST NAME <b>LEGRAND</b>	FIRST NAME Michel	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Pfettisheim</b>	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 3, rue des Roses	CITY Pfettisheim	STATE or COUNTRY France	ZIP CODE F-67370
DATE <i>5/10/01</i>	SIGNATURE OF INVENTOR <i>(Signature)</i>			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	LAST NAME <b>KAUFFMANN</b>	FIRST NAME Serge	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Strasbourg</b>	STATE or FOREIGN COUNTRY France	COUNTRY OF CITIZENSHIP France	
POST OFFICE ADDRESS	POST OFFICE ADDRESS 3, cours du Moulin Zorn	CITY Strasbourg	STATE or COUNTRY France	ZIP CODE F-67000
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			

**COMBINED DECLARATION  
AND POWER OF ATTORNEY**

(Original, Design, National Stage of PCT, Divisional, Continuation or C-I-P Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**INDUCIBLE COMTII PROMOTER, CHIMERA GENE CONTAINING SAME  
AND TRANSFORMED PLANTS**

This declaration is of the following type:

- Original
- Design
- national stage of PCT.
- Divisional
- Continuation
- continuation-in-part (C-I-P)

the specification of which: (complete (a), (b), or (c))

- (a)  is attached hereto.
- (b)  was filed on as Application Serial No. and was amended on (if applicable).
- (c)  was described and claimed in PCT International Application No. PCT/FR00/00714 filed on March 22, 2000 and was amended on (if applicable).

**Acknowledgement of Review of Papers and Duty of Candor**

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56.

- In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.98.

**Priority Claim**

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International Application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International Application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application on which priority is claimed

(complete (d) or (e))

- (d)  no such applications have been filed.
- (e)  such applications have been filed as follows:

PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION

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(Application Serial No.)	(Filing Date)	Status (patented, pending, abandoned)

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FULL NAME OF SOLE OR FIRST INVENTOR	LAST NAME <b>FRITIG</b>	FIRST NAME <b>Bernard</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Souffelweyersheim</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>6, Rue du Hohwald</b>	CITY <b>Souffelweyersheim</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-67460</b>
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	LAST NAME <b>TOQUIN</b>	FIRST NAME <b>Valerie</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Morlaix</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>1, Rue Henri Barbusse, Saint Martin des Champs</b>	CITY <b>Morlaix</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-29600</b>
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	LAST NAME <b>GEOFFROY</b>	FIRST NAME <b>Pierrette</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Strasbourg</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>10, rue Fischart</b>	CITY <b>Strasbourg</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-67000</b>
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	LAST NAME <b>LEGRAND</b>	FIRST NAME <b>Michel</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Pfettisheim</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>3, rue des Roses</b>	CITY <b>Pfettisheim</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-67370</b>
DATE	SIGNATURE OF INVENTOR			
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY	LAST NAME <b>KAUFFMANN</b>	FIRST NAME <b>Serge</b>	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY <b>Strasbourg</b>	STATE or FOREIGN COUNTRY <b>France</b>	COUNTRY OF CITIZENSHIP <b>France</b>	
POST OFFICE ADDRESS	POST OFFICE ADDRESS <b>3, cour du Moulin Zorn</b>	CITY <b>Strasbourg</b>	STATE or COUNTRY <b>France</b>	ZIP CODE <b>F-67000</b>
DATE <i>Galina Lao</i>	SIGNATURE OF INVENTOR			
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY	LAST NAME	FIRST NAME	MIDDLE NAME	
RESIDENCE & CITIZENSHIP	CITY	STATE or FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP	
POST OFFICE ADDRESS	POST OFFICE ADDRESS	CITY	STATE or COUNTRY	ZIP CODE
DATE	SIGNATURE OF INVENTOR			